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JAMES A. CALDERWOOD

October 29, 2008

BY HAND DELIVERY

Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E St., S.W.
Washington, D.C. 20423-0001

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223865

FEE RECEIVED
OCT 29 2008
SURFACE
TRANSPORTATION BOARD

Re: United Van Lines, LLC Pooling Modification Application

Dear Secretary Quinlan:

I enclose for filing in the above-referenced docket an original and 10 copies of a United Van Lines, LLC Pooling Modification Application. A check in the amount of \$4,400 is enclosed for the filing fee of the pooling application.

Sincerely,

James A. Calderwood

Encl.

FILED
OCT 29 2008
SURFACE
TRANSPORTATION BOARD

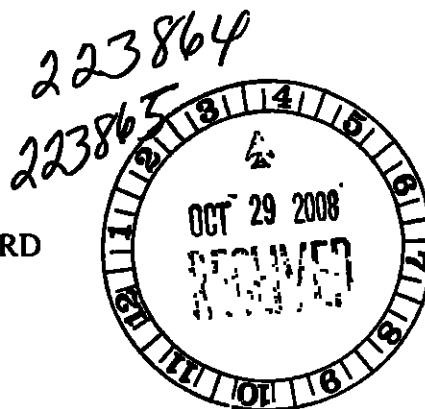
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BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO MC-F-4901
MC-F-6152

UNITED VAN LINES, LLC –
POOLING MODIFICATION APPLICATION



This application to modify the pooling agreement of United Van Lines, LLC (“United”) is filed pursuant to 49 U.S.C. § 14302 and the regulations of the Surface Transportation Board (“STB” or “Board”) at 49 C.F.R. Part 1184.

FILED

OCT 29 2008

**SURFACE
TRANSPORTATION BOARD**

I.

INTRODUCTION

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**SURFACE
TRANSPORTATION BOARD**

United, and its agents who hold motor carrier registrations (“authority”) pursuant to 49 U.S.C. § 13902 (“carrier agents”), and wholly owned and controlled subsidiary motor carriers of United, seek through this application to modify United’s pooling arrangement as described herein.

This request is prompted by the many changes that have occurred in recent years with respect to the household goods moving industry.¹ Under the modification requested here United’s carrier agents would not transport interstate household goods moves under their own

¹ This application applies to the transportation of household goods as defined at 49 U.S.C. § 14302(h)(1) by United and its carrier agents. No modification is sought with respect to the transportation of general commodities as previously approved. See ICC Decision No. MC-F-4901, No. MC-F-6152, United Van Lines, Inc. – Pooling Agreement Modification (decided March 30, 1992).

authority except that they may, subject to United policies, utilize their own motor carrier authority for household goods (i.e. their registration under 49 U.S.C. § 13902) for service to the Department of Defense and other government agencies.

Under a decision issued by the Interstate Commerce Commission (“ICC”) in ICC No. MC-F-4901, No. MC-F-6152, United Van Lines, Inc – Pooling Agreement Modification, (served May 25, 1984); aff’d, Three Way Corp. v. ICC, 792 F.2d 232 (D.C. Cir. 1986), cert. denied, 479 U.S. 985 (1986), carrier agents of United have been restricted to interstate shipments of less than 1,700 miles under their own authority. United carrier agents turned over (“booked”) all other interstate shipments to United to be transported under United’s authority. In more recent years United has adopted policies to encourage carrier agents to book all interstate shipments into the United system such as giving carrier agents financial incentives to do so. United estimates that in 2007 carrier agents handled less than 5 percent of agent-generated moves under their own authority, instead booking most of their interstate traffic into the United system where it moves under United’s authority.

A number of developments have altered the situation for United and its carrier agents, prompting the need for changes to the United operational structure as requested here.

Among the recent dramatic changes impacting the household goods moving industry was the abolition of collective ratemaking effective January 1, 2008, in accordance with the STB’s decision in STB Ex. Parte No. 656, Motor Carrier Bureaus – Periodic Review Proceeding, (served May 7, 2007). That decision led to the demise of the Household Goods Carriers Bureau

Committee which, including its predecessors, had for over 50 years collectively set the rates for household goods moves and published a uniform tariff used by practically every motor carrier in the industry, including United and its carrier agents² Today such rates are not collectively set and there is no uniform tariff. Accordingly, with this change there is a much greater probability that carrier agents of United could have tariffs containing terms and conditions as well as rate structures that differ from those of United. This has the real potential to cause shipper confusion

Typically a carrier agent handles a move under its own authority in equipment that is also used for moves under United's authority and bearing the name, distinctive colors, trademark and Department of Transportation ("DOT") registration number of United. This can also lead to shipper confusion as to what carrier (United or the carrier agent) is actually responsible for the load. Now, with the possibilities of differences in tariff structures this problem would be exacerbated if carrier agents continued to transport interstate shipments under their own authority.

In addition, motor carriers of household goods are required to follow the consumer protection regulations of the Federal Motor Carrier Safety Administration ("FMCSA"), part of DOT, which mandate various actions that the mover must take such as specific requirements for estimates, the election of valuation and the collection of charges. 49 C.F.R. Part 375 A shipper being served by a carrier agent operating under its own authority rather than United itself may not be certain as to what entity is responsible to him or her for the requirements of these regulations.

² Motor carriers of household goods are the only segment of the motor carrier industry still required to publish a tariff 49 U.S.C. § 13702(a)(2)

Another issue United is now facing is increased competition for the movement of household goods from motor carriers of freight in addition to competition with traditional household goods movers. Beginning with an administrative ruling by the FMCSA on June 13, 2001, followed by legislative changes in the Household Goods Mover Oversight Enforcement and Reform Act of 2005, motor carriers of freight may provide "drop and load" service whereby they position a container or trailer for a household, such as at the household's residence, for loading by the household. The freight carrier then hauls it to the household's new residence or into storage. This is not considered a "household goods" move and is therefore not subject to tariff requirements or the FMCSA consumer rules 49 U.S.C. § 13102(12)(c). Regardless of the definition of "household goods," however, the realities of the marketplace dictate that increased competition from any source demands increased efficiencies.

By carrier agents tendering all traffic into the United system, additional efficiencies may be achieved and carrier agents as well as United and the moving public will benefit. A van line system obtains efficiencies through the sophisticated matching of available capacity with shipper demand. Multiple shipments are often loaded on the same van with pickups and deliveries taking place as the van is transported. The United system aims to fill vans as much as possible while they are transporting goods. This benefits the operator (driver), who often owns or leases the equipment and receives as compensation a portion of the revenue from each load. As the operator can handle more volume, it assists in eliminating unnecessary fuel consumption because fewer vehicles are only partially loaded and in general there is better control over expenses and operations.

In affirming the ICC's approval of United's pooling agreement in 1986, the Court of Appeals for the D.C. Circuit reviewed the statutory changes that were causing realignment in the household goods moving industry. As noted by the D.C. Circuit, the Motor Carrier Act of 1980 made it easier for carriers to enter the interstate market or expand their operations on an interstate basis. Three Way v. ICC, supra, at 233-34. This meant that van line agents that previously could obtain only limited operating authority, if they could obtain authority at all, could receive expansive operating authority from the ICC and, in effect, begin to compete against their own van lines. The traditional concept of motor carrier operating authority was virtually eliminated with enactment of the Transportation Industry Regulatory Reform Act of 1994 (TIRRA).³ The ICC Termination Act of 1995 (ICCTA) entirely eliminated the historical operating authority concept and established a simple registration process administered by DOT. 49 U.S.C. § 13902. This has led to the "free rider" problem whereby United carrier agents have the ability to compete with United itself.

In Three Way v. ICC, supra, at 237-238, the D.C. Circuit noted that competition should take place at the level of van line against van line ("interbrand competition"), not within a van line system of agent against its own van line ("intra-brand competition"). The decision noted United's desire to reduce the "free-rider problem" whereby a carrier agent could attract and service business because of its affiliation with United yet not share any part of the revenue with United. This tended to undermine not only United, but also those carrier agents who support the United system.

³ See ICC Ex Parte No. MC-222, Policy Statement on the Transportation Industry Regulatory Reform Act of 1994.

In Rothery Storage & Van Co. v Atlas Van Lines, 792 F.2d 210 (D.C. Cir. 1986), cert. denied, 479 U.S. 1033 (1987); the D.C. Circuit rejected a Sherman Act challenge to the policy of Atlas Van Lines forbidding its agents from possessing interstate authority. In Rothery, the court discussed the legitimate concern of the van line over free riding by its agents. The court stated at pp. 212-213:

This increased potential for the diversion of interstate business to its carrier agents posed two potential problems for Atlas. Each of these problems is a version of what has been called the "free ride." A free ride occurs when one party to an arrangement reaps benefits for which another party pays, though that transfer of wealth is not part of the agreement between them. The free ride can become a serious problem for a partnership or joint venture because the party that provides capital and services without receiving compensation has a strong incentive to provide less, thus rendering the common enterprise less effective. The first problem occurs because, by statute, a van line incurs strict liability for acts of its agents exercising "actual or apparent authority," 49 U.S.C. § 10934(a) (1982) [now codified at 49 U.S.C. § 13907]. Thus, an increase of shipments made on the agents' independent authority, but using Atlas' equipment, uniforms, and services would create the risk of increased liability for Atlas although Atlas received no revenue from those shipments. Second, because carrier agents could utilize Atlas services and equipment on non-Atlas interstate shipments, the possible increase of such shipments means that Atlas might make large outlays for which it received no return.

As explained more fully below, United also desires in this application to remove certain detailed restrictions from ICC pooling decisions of over half a century ago that set precise limits on particular administrative arrangements with carrier agents, such as the terms for agent-supplied equipment, the distribution of revenue including from the provision of accessorial services, the form of agency agreement, and any prohibitions or restrictions against carrier agents from possessing broker authority or filing separate tariffs.

Additionally, United wishes to note its change of corporate organization. It is now a limited liability company under Missouri law.

II.

UNIGROUP, INC.

United is a wholly owned subsidiary of Transportation Services Group, Inc. (TSGI), which is a wholly owned subsidiary of UniGroup, Inc. ("UniGroup"), a holding company. Mayflower Transit, LLC ("Mayflower") is also a wholly owned subsidiary of TSGI. UniGroup's acquisition of Mayflower was not challenged by the ICC in 1995 when a notice of the acquisition was made with the ICC through the ICC's Notice of Exemption process then appearing at what was 49 C.F.R. Part 1186. ICC Docket No. MC-F-20672. At the time of that exemption, UniGroup already owned United. UniGroup provides various administrative and "back office" services that are shared by its subsidiaries, and the revenues from the various UniGroup subsidiaries are consolidated at the holding company level.

Mayflower has separately filed a similarly structured pooling modification application with the Board contemporaneously with this one filed for United. As with United, Mayflower also has agents with operating authority to transport household goods. They are listed in Appendix A of the Mayflower application.

III.

STANDARDS FOR REVIEW

In accordance with 49 U.S.C. § 14302(c)(2), when a pooling application is made, the Board is initially to make a determination as to "whether the agreement or combination is of

major transportation importance and whether there is substantial likelihood that the agreement or combination will unduly restrain competition.” If it is determined that neither of these two factors exists, then the Board may approve and authorize the agreement without a hearing. 49 C.F.R. § 1184.3. In Three Way v. ICC, *supra*, the D.C. Circuit determined that the ICC had acted properly when it approved without hearing a mileage limitation with respect to United carrier agents ⁴

The statutory standards for approval are that the agreement “(1) will be in the interest of better service to the public or of economy of operation, and (2) will not unreasonably restrain competition.” 49 U.S.C. § 14302(b) See ICC Ex Parte No. MC-141, Policy Statement on Motor Carrier Pooling Application, 127 M.C.C. 746 (decided March 30, 1981)

By statute, the Board is to “streamline, simplify, and expedite, to the maximum extent practicable, the process (including any paperwork) for submission and approval of applications under this section for agreements and combinations between motor carriers providing transportation of household goods and their agents.” 49 U.S.C. § 14302(c)(5).

⁴ In 2005 the STB approved a pooling arrangement of Atlas Van Lines without a hearing under which carrier agents of Atlas could use their operating authority only to serve the Department of Defense. STB Docket No. MC-F-21010, Atlas Van Lines, Inc. – Pooling Agreement, (served February 23, 2005).

IV.

A. IDENTIFICATION OF ALL THE CARRIERS WHO ARE PARTIES

(49 C.F.R. § 1184.2(a))

The parties to the pooling arrangement are United Van Lines, LLC, its carrier agents, and motor carriers owned and controlled by United that participate, subject to United policies, in shipments exclusively for the government, including the Department of Defense. The carrier agents, as well as the United subsidiary motor carriers, are listed in Appendix A.

B. GENERAL DESCRIPTION OF THE TRANSACTION

(49 C.F.R. § 1184.2(b))

United has operated under pooling arrangements since 1955. ICC No. MC-F-3457, Geitz Storage & Moving Co., Inc., et al. – Investigation of Control – United Van Lines, Inc., 65 M.C.C. 257 (decided June 23, 1955)

In accordance with the modification for which approval is requested, United's carrier agents would tender all interstate household goods shipments to United for transportation except that such agents could, subject to United policies, utilize their own authority (i.e. registration under 49 U.S.C. § 13902) while participating in shipments for the government, including the Department of Defense.

The ability of carrier agents to utilize their own authority for service to the government is necessitated in part because of a requirement of the Department of Defense that those providing service to it be registered with the FMCSA. Accordingly, as noted, this pooling modification request is similar to the STB's decision in STB Docket No MC-F-21010 Atlas Van Lines, Inc., et al. – Pooling Agreement (decided February 23, 2005) whereby Atlas Van Lines was permitted to pool Department of Defense household goods traffic with its agents who transported such traffic on their own authority.⁵

Under this modification, all household goods loads—except perhaps those for the government—are booked into the United system, which provides for dispatch, maintains processes for compliance with the consumer protection regulations, maintains a legally required tariff, disburses payments, qualifies drivers, processes claims, and provides for a uniform operation. United will have the ability to set standards for all agents with a view toward increasing efficiencies where possible and to enable United and its agent family to more effectively compete with other transportation services providers (“interbrand competition”)

By this application United also seeks to modify certain other aspects of its pooling arrangement because they are now anachronistic and impede the flexibility required to operate a modern van line system. Specifically, United seeks to modify the ICC's approval from its 1955 decision pertaining to, among other things, United's pooling arrangements, the ICC approved certain compensation levels for carrier agents (including for accessorial services and equipment leasing) and certain standards with respect to the provision of equipment and drivers by carrier

⁵ As in Three Way Corporation, supra, the STB did not order a hearing in Atlas Van Lines, Inc., et al. Pooling Agreement, before approving the arrangement

agents. These did not pertain to leases between United or a carrier agent and a driver. These were modified in a subsequent decision. ICC No. MC-F-4901: United Van Lines, Inc. – Pooling, 65 M.C.C. 755 (decided May 11, 1956). Additionally, it seeks to modify any requirement that it use and adhere to a form agency agreement that United had submitted to the ICC as part of its pooling application.⁶ Furthermore, United desires to remove any prohibitions or restrictions against its carrier agents from possessing broker authority or maintaining and filing their own independent tariffs. These requirements have far outlived the situations they were designed to address over half a century ago. They also mandate a degree of rigidity as to certain operations and impede the need for flexibility in the contemporary transportation market. United would continue to have agency and equipment leasing agreements as well as compensation arrangements with its carrier agents, but it desires that these be in the form of written contracts that can be modified as situations change rather than prescribed in a pooling arrangement. These agreements would not alter the nature or scope of the pooling arrangement itself. Additionally, all such agreements between United and its carrier agents would of course conform with and be subject to all applicable statutes and regulations as well as orders and decisions of government agencies, including the STB.

In addition, United desires to institute a process under which additional United carrier agents could join this pooling arrangement by giving written notice to the STB. Such notice would include the following information: 1) the identity of the new participants, 2) agency status, 3) a copy of or other evidence of the carrier agent's household goods operating authority and 4) indicia of the carrier agent's necessary corporate approval for entry into the pool. See ICC

⁶ The applicants here have reviewed all STB motor carrier pooling decisions since the Board was created 12 years ago and can find none which contain this degree of specificity for carrier operations.

Decision No. MC-F-19309, Decision No. MC-F-19309, Wheaton Van Lines, Inc. – Pooling Application (decided January 9, 1989). See also ICC Decision No MC-F-20680 Consol. Freightways Corp. of Del. & Tri-State Express Inc. – Pooling Agreement (served February 10, 1995). Similarly, United desires to institute a process under which carrier agents terminated from the United system could be removed from this pooling arrangement by United or the carrier agent giving written notice to the STB of such termination

**C. SPECIFIC DESCRIPTION OF THE OPERATING
AUTHORITIES SOUGHT TO BE POOLED**

(49 C.F.R. § 1184.2(c))

United has the authority to operate as a motor carrier transporting household goods and general commodities in accordance with its registration with the FMCSA under USDOT Number 77949 and MC Number 67234.

Attachment A is a list of the United carrier agents, as well as the applicable government and military carriers owned and controlled by United, that will be parties to the pooling arrangement. Each agent's authority and DOT registration number is indicated along with the state where it is domiciled. The DOT registration of each can be viewed on the FMCSA website – [www fmcsa.dot.gov](http://www.fmcsa.dot.gov)

**D. BASIS TO ESTABLISH THAT THE AGREEMENT
IS A GENUINE POOLING ARRANGEMENT**

(49 C.F.R. § 1184.2(d))

Under 49 U.S.C. § 14302(a), motor carriers “may not agree or combine with another such carrier [motor carrier] to pool or divide traffic or services or any part of their earnings without the approval of the Board under this section.”

United’s pooling arrangement allows United and its carrier agents to pool their traffic together for the sharing of traffic and revenue. A centralized system of bookings, equipment utilization, a tariff, and standardized operations are maintained. Most of the equipment such as vans, trailers, and tractors are owned by or leased by carrier agents. Under the pooling arrangement, a centralized system is provided for utilizing this equipment. Revenue is then pooled and distributed in accordance with the level of participation by United and particular carrier agents in each move. Loads generated by different carrier agents can be dispatched on equipment that may or may not be owned or leased by the carrier agent responsible for generating the particular shipment. Among other things, this provides for greater efficiency in the utilization of equipment such as reducing empty backhauls or partially-filled vans or trailers.

The arrangement is not a lease or interline arrangement. A lease, as defined at 49 C.F.R. § 376.2(e), is a “contract or arrangement in which the owner grants the use of equipment, with or without driver, for a specified period to an authorized carrier.” Interline arrangements contemplate the exchange of equipment by one motor carrier that may have instituted a haul at its origin point with another motor carrier that delivers it to destination. It is basically an

“interchange,” which is defined at 49 C.F.R. § 376.2(c) as the “receipt of equipment by one motor common carrier of property from another such carrier.” The United pooling arrangement encompasses far more than a lease arrangement or the exchange of equipment.

E. RELEVANT TRANSPORTATION MARKETS AFFECTED

(49 C.F.R. § 1184.2(c))

The relevant transportation market is nationwide. Carrier agents tend to generate moves from the particular communities where they have facilities and book these moves into the United system. Loads could have origin and destination points at practically any place within the contiguous states or Alaska. The nature of the market for household goods moves was described by the D.C. Circuit in Three Way. v. ICC, supra, at 233:

Household goods traffic follows no predetermined pattern and it is extremely difficult for a single, unaffiliated carrier to secure return loads. Further, 60% of all household moves take place during the four month period between June 1 and September 30 creating equipment shortages during the peak season and leaving equipment idle during the rest of the year. To overcome these problems, the Commission [ICC] has allowed groups of carriers to participate in pooling arrangements where it is in the public interest.

**F. THE COMPETITIVE ROUTING AND
SERVICE ALTERNATIVES REMAINING
(49 C.F.R. § 1184.2(f))**

Literally thousands of competitive routing and service alternatives are available from transportation service providers that are not part of the pooling arrangement. As noted previously, legislative developments such as TIRRA and ICCTA have eliminated the historic concept of route and commodities limitations so that motor carriers are now free to serve any location and transport practically any commodity, including household goods. There are no longer any significant regulatory barriers to entering the market for transporting household goods.

According to the FMCSA, as of April 2006, there were 5,400 active interstate household goods carriers in the United States. 73 Federal Register 9270 (February 20, 2008). Consequently, shippers have many alternatives for the transportation of household goods.

Additionally, as previously noted, motor carriers of freight may effectively transport household goods through drop and load shipper self-pack arrangements without adhering to the FMCSA consumer rules or maintaining a tariff under an FMCSA administrative ruling and the enactment of 49 U.S.C. § 13102(12)(c) as part of the Household Goods Movers Oversight Enforcement and Reform Act of 2005. There are also a number of internet sites to which shippers may turn to seek transportation service providers to move their household goods. These present shippers of household goods with numerous alternatives to the United system.

G. AN ESTIMATE OF THE PUBLIC BENEFITS

(49 C.F.R. § 1184.2(g))

There will be a public benefit from this arrangement because increased efficiencies can be realized and United will be better able to serve household goods shippers. There will be no diminution of competitive routing and service alternatives as all of the carrier agents are already agents of United. This pooling modification will enable the United organization to benefit shippers by offering more economic and responsive service. It will also help to alleviate confusion among shippers with respect to what carrier is providing the service and which carrier's tariff may be applicable. In addition, it will also give United increased flexibility to operate in a changing transportation market.

H. EFFECT OF THE POOLING ARRANGEMENT ON PRESENT AND FUTURE COMPETITION

(49 C.F.R. § 1184.2(h))

The commodities involved would be household goods as defined at 49 U.S.C. § 14302(h)(1).

This pooling modification would enhance "interbrand competition," (i.e. competition with other major transportation service providers) by enabling United and its agent family to create the opportunity for additional efficiencies in operation, reduce free riding by agents, and lessen shipper confusion. These are among the reasons the D.C. Circuit held in Rothery Storage

& Van Co. v. Atlas, supra, that barring agents from possessing interstate authority did not have anticompetitive effects and would not violate the antitrust laws. Similarly, the D C Circuit held in Three Way v. ICC, supra, that an agent mileage limitation would not unreasonably restrain competition. There would be little if any negative effect on present and future competition because all of the carrier agents are already agents of United and each currently books the vast majority of the interstate household goods traffic it generates into the United system.

In 2007 United had lower gross hauling revenues than in 2006. Due to general economic conditions, a turndown in the housing industry, and increased competition, it is very difficult to project future traffic volumes and revenues. It is anticipated, however, that gross hauling revenues will continue to decline for the immediate future.

I. CERTIFICATION THAT RATES FOR POOLING
OPERATIONS WOULD NOT VIOLATE THE
RESTRICTION ON COLLECTIVE RATEMAKING
(49 C.F.R. § 1184.2(i))

It is hereby certified that the rates set for traffic moving under the proposed pooling modification will not violate the restrictions on collective ratemaking contained in 49 U.S.C Subtitle IV and Board regulations

**J THE RELATIVE TRANSPORTATION IMPORTANCE
OF THE POOLING AGREEMENT AS IT WOULD AFFECT
THE PUBLIC AND THE NATIONAL TRANSPORTATION SYSTEM
(49 C.F.R. § 1184.2(j))**

The transportation importance of the requested pooling modification would be minimal in that the modification presents little change from current approved restrictions on United's carrier agents. The primary effects would be simply to increase efficiencies, improve service, enhance flexibility of operations, and lessen customer confusion.

This pooling modification would foster a more efficient use of resources and equipment by enabling the United system to more rationally utilize equipment space and driver activity. Through increased efficiencies it will assist in reducing fuel consumption. At the same time, there will be no lessening of service to shippers of household goods because shipments previously handled by carrier agents can readily be accommodated, using the same transportation equipment, in the United system.

The national transportation system has evolved into a network of transportation service providers including brokers (often referred to as "relocation companies" with respect to household goods), 3PLs (third party logistics) providers, forwarders, web based search and book services, freight carriers hauling household goods, as well as the traditional motor carrier of household goods. Many of these entities did not exist a few years ago. Under this pooling

modification United and its carrier agents will be better able to function in a rapidly changing transportation market.

K. NON-POOLING CARRIERS NOT INCLUDED IN THE POOLING AGREEMENT

(49 C.F.R. § 1184.2(k))

There are thousands of motor carriers of household goods that are not included in this pooling modification. In addition, there are various other types of transportation service providers to which shippers may turn to assist in arranging for household goods moves, including motor carriers of freight.

As previously noted, legislative changes such as TIRRA and ICCTA have eliminated the historic concept of limited grants of authority so that today there are no substantial regulatory barriers to entry into the household goods moving market.

L. ENERGY AND ENVIRONMENTAL EFFECTS

(49 C.F.R. § 1184.2(l))

It is anticipated that the efficiencies available through this pooling modification will conserve the amount of fuel consumed on a per-ton basis by reducing the number of empty or partially empty miles that would otherwise be needed to transport household goods. The pooling modification will not have a negative impact on energy use or the environment.

M. COPIES OF SPECIFIC OPERATING AUTHORITIES

As noted, operating authority as traditionally granted by the ICC no longer exists in a statutory context. It has been replaced with a registration system administered by the FMCSA, part of DOT. 49 U.S.C. § 13902. Appendix A is a list of the carrier agents and the United subsidiary motor carriers that are parties to this pooling modification together with the DOT registration number of each. The registration information for these carrier agents can be found on the FMCSA website – www.fmcsa.dot.gov. The United registration is also available on the FMCSA website. The applicants hereby request a waiver from the Board's requirement at 49 C.F.R. § 1184.2 that "a copy of the specific operating authority of each carrier which is the subject of the pooling agreement" be provided as an appendix due to the volume of screen printouts this would entail and their availability on the FMCSA website.

N. REQUESTED ACTION

Because, as in Three Way Corporation, supra and Atlas Van Lines, et al – Pooling Agreement, supra, the requested modifications to the United pooling agreement are not of major transportation importance, and further because there is no substantial likelihood that the agreement will unduly restrain competition, the applicants respectfully request that the Board approve this application without a hearing.

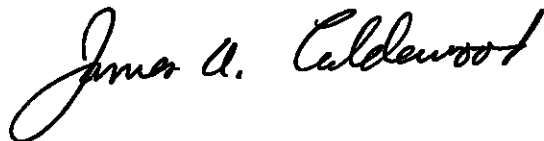
O. CERTIFICATION BY APPLICANTS

(49 C.F.R. § 1184.2(m))

I, Patrick J. Larch, Jr., President of United Van Lines, LLC, do hereby certify that the representations made in this application are, to the best of my knowledge and belief, true and complete


Patrick J. Larch, Jr., President

Respectfully submitted,



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Appendix A – List of Carrier Agents

Appendix B – Pooling Policy Modification Agreement

Appendix C – Caption Summary for Federal Register Publication

APPENDIX A

LIST OF CARRIER AGENTS AND UNITED SUBSIDIARY CARRIERS

CARRIER AGENTS OF UNITED VAN LINES, LLC		
Agent Name	State	Agent Own Authority
A C WHITE TRANSFER & STORAGE CO , INC	GA	MC 120606, 138846, 255012, 255038, DOT 92851, 1134502, 919054
ACTION MOVERS	ND	MC 228559, 160560, DOT 212818, 208970
ADSI MOVING SYSTEMS	GA	MC 341078, DOT 754250
AFFILIATED VAN LINES, INC	OK	MC 164366, 284836, 453837, 141364, 263416, DOT 34174, 481184, 326980, 521147, 17225601722560,
AIRWAY MOVING SYSTEMS	NC	MC 148984, DOT 174839
ALL CHICAGOLAND MOVING & STORAGE COMPANY	IL	MC 106133, DOT 303399
ALL STATES MOVING & STORAGE, INC	GA	MC 165732, DOT 515964
AMERICAN MOVING & STORAGE, INC	NM	MC 212629, 141280, DOT 356063, 135676
ARMSTRONG MOVING & STORAGE, INC	TX	MC 133891, 544943, 120583, 354847, DOT 4416, 1441957, 44864, 651461
ARMSTRONG RELOCATION	TN	MC 76574, 516299, 552318, 552359, 526751, 548144, 550136, 553106, 547907, 550171, DOT 525, 1449937, 449294, 1462031, 1462092, 970979, 1270079, 1080349, 881885, 1509427, 1071807, 1273061, 1106735, 1170867, 1071798, 1463768, 1449937, 1071807
BARRETT MOVING & STORAGE COMPANY	MN	MC 65781, 55794, DOT 75531, 590487, 46631
BEND STORAGE AND TRANSFER	OR	MC 107043, DOT 103411
BERND MOVING SYSTEMS	WA	MC 126294, 621627, DOT 74735, 1355251
BILOXI TRANSFER & STORAGE CO.	MS	MC 9444, 120905, 169285, DOT 87802, 87821,
BOHREN'S MOVING & STORAGE, INC	NJ	MC 4368, DOT 31912
BROOKS TRANSFER AND STORAGE CO , INC	VA	MC 79646, DOT 120995
BROWNING MOVING & STORAGE, INC.	FL	MC 88771, DOT 89864
C BAIN, INC	MA	MC 18192, DOT 52847
C R HAMILTON, INC	NY	MC 8338, DOT 25065
CAPITOL MOVING & STORAGE CO , INC	CT	MC 77202, DOT 761536
CARDINALT. MOVING & STORAGE, INC	CA	MC 138022, DOT 45193
CARNEY-MCNICHOLAS, INC	OH	MC 149444, DOT 465059
CENTRAL TRANSPORTATION SYSTEMS, INC	TX	MC 024670, DOT 350195
CHAVIS MOVING & STORAGE COMPANY	SC	MC 140783, DOT 140037
CHAVIS VAN & STORAGE	SC	MC 140759, DOT 140039
CHIPMAN MOVING & STORAGE (SPOKANE), INC	WA	MC 139708, 593637, DOT 158348, 1605091
CHIPMAN RELOCATIONS	CA	MC463660, 99871, 106919, DOT 1682259, 80387, 117936
CHRISTOPHERSON MOVING & STORAGE	WI	MC 73553, DOT 46293
CITY MOVING SYSTEMS INC	WA	MC 6485, DOT 253838 & 11993
CITY TRANSFER COMPANY	LA	MC 120950, DOT 205336
CLANCY-CULLEN STORAGE CO , INC	NY	MC 22581, 76840, DOT 106845, 265038
CLASSIC CITY MOVING & STORAGE, INC	GA	MC 150355, DOT 311893

APPENDIX A
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CARRIER AGENTS OF UNITED VAN LINES, LLC		
Agent Name	State	Agent Own Authority
CLIFTON MOVING & STORAGE, INC	IL	MC 5881, DOT 540802
COLONY MOVING & STORAGE, INC	MA	MC 94648, DOT 259299
CONLON MOVING SYSTEMS, INC	MA	MC 38317, DOT 49947
COOK MOVING SYSTEMS, INC.	NY	MC 128427, 147133, DOT 135607, 199000
CORPORATE MOVING SYSTEMS, INC	WA	MC 242241, DOT 505087
CORRIGAN WORLDWIDE, INC	MI	MC 41608, DOT 153343, 1150201
CROWN WORLDWIDE MOVING & STORAGE COMPANY	CA	MC 138953, DOT 2970
CURL'S HI-TECH SERVICE CORP.	OR	MC 218328, DOT 528306
DELANEY MOVING & STORAGE, INC	NY	MC 273974, DOT 561250
DENOYER BROTHERS MOVING & STORAGE CO	MI	MC 134935, DOT 381828
DIGGINS & ROSE, INC	NH	MC 63837, DOT 94392
EAGLE TRANSFER COMPANY, INC	WA	MC 119038, DOT 312922
EARLE W NOYES & SONS MOVING SPECIALISTS	ME	MC 38092, DOT 51022
FAST END TRANSFER & STORAGE, INC	TX	MC 260957, DOT 511433
ECONOMY MOVERS	CA	MC 163102, DOT 1011944
ESCANABA MOVING SYSTEMS, INC	MI	MC 180312, DOT 302992
FRANKLIN'S MOVING & STORAGE, INC	OR	MC 112523, DOT 37225
FRISBIE MOVING & STORAGE COMPANY	MI	MC 13282, DOT 75894
FRY-WAGNER MOVING AND STORAGE CO	MO	MC 265276, DOT 904258, 530191
GEARHARTS MOVING & STORAGE, INC	PA	MC 37081, DOT 120912
GEIGER TRANSFER & STORAGE CO, INC	IN	MC 14955, DOT 125454
GEMINI MOVING SPECIALISTS	CA	MC 406009, 321079; DOT 945931, 692879
GOLDEN NORTH VAN LINES	AK	MC 140586, DOT 163057
HALL-ILANE MOVING & STORAGE CO, INC	NY	MC 84242, DOT 25055
HICKMAN MOVING & STORAGE CO, INC	AL	MC 144291, DOT 158801
HILLDRUP MOVING AND STORAGE	VA	MC 125294, 263552, DOT 22302, 524133
HILL'S MOVING & STORAGE COMPANY, INC	AL	MC 143735, DOT 163924
HILLSIDE VAN LINES, INC	NY	MC 104093, DOT 25226
HOLLANDER INTERNATIONAL STORAGE & MOVING CO, INC	IL	MC 127555, DOT 131735
HOLMAN MOVING SYSTEMS	DE	MC 30852, DOT 13906
HORIZON MOVING SYSTEMS, INC	AZ	MC 134615, 98604, 58335, DOT 118399, 30411
HORNE MOVING SYSTEMS, INC	NC	MC 140318, DOT 304797
HUGHES RELOCATION SERVICES, INC	PA	MC 35750, DOT 784159, 110502
HUMBOLDT MOVING & STORAGE CO, INC	CA	MC 98286, DOT 80232
HUMBOLDT STORAGE & MOVING COMPANY	MA	MC 87541, DOT 363405
HUTCHCRAFT VAN SERVICE, INC	IL	MC 274878, DOT 563562
I-GO VAN & STORAGE CO	NE	MC 10068, DOT 72100
J H BENNETT MOVING & STORAGE, INC	PA	MC 173090, DOT 82926
JOE J DEMPSEY TRANSFER & STORAGE, INC	OK	MC 44024, DOT 34209
JOHNSON STORAGE AND MOVING COMPANY	CO	MC 231175, 170148, 14878, 89442, 256060, 162950, 8768, 180712, 186570, DOT 627773, 120303, 286130, 120435, 496334, 228838, 29097, 273406, 516125
K & S MOVING SYSTEMS, INC	IL	MC 512623, DOT 1325491
K C SALLEY VAN & STORAGE CO	TX	MC 145132, DOT 166897
KENTUCKY MOVING AND STORAGE SERVICES, INC	KY	MC 175353, DOT 87883

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CARRIER AGENTS OF UNITED VAN LINES, LLC		
Agent Name	State	Agent Own Authority
KING RELOCATION SERVICES	CA	MC 134023, DOT 171820
KING TRANSFER & STORAGE CO, INC	MT	MC 280481, DOT 166332
KLOKE HOLDING GROUP, INC	VA	MC 220360, 512920, 318948; DOT 1354383, 1342677, 686226
KWICK-WAY TRANSPORTATION COMPANY	TN	MC 30487, DOT 206131
L A LEWIS, INC	PA	MC 31765, DOT 38178
LAMBERT MOVING & STORAGE, INC	AL	MC 62658, DOT 105782
LAMBERT TRANSFER CO, INC	WV	MC 139392; DOT 137400
LANCASTER MOVING & STORAGE	CA	MC 133595, DOT 50232
LARSEN TRANSFER CO	WA	MC 581, DOT 26510
LAWRENCE TRANSPORTATION SYSTEMS, INC	VA	MC 116400, 150824, DOT 84337
LIBERTY MOVING & STORAGE CO, INC	NY	MC 198104; DOT 325439
LIBERTY TRANSPORTATION & STORAGE CO, INC	NJ	MC 75522, DOT 42415
LINT VAN LINES, INC	IA	MC 203490, DOT 543541
LIVINGSTON STORAGE & TRANSFER CO, INC	GA	MC 133659, 469718, DOT 92773, 1196074
LOMPOC VAN & STORAGE, INC	CA	MC 126931, 128070, DOT 517055, 58798
LYON MOVING & STORAGE, LLC	CA	MC 225136, DOT 374567, authority in name of Mammoth Van Lines, Inc
MACDONALD MOVING SERVICES, INC	MA	MC 42578, DOT 247180
MCCARLEY MOVING & STORAGE CO, INC	GA	MC 129383, DOT 92776
MCCOLLISTER'S TRANSPORTATION SYSTEMS, INC	NJ	MC 358185, DOT 805405, 289344, 776012
MERCHANTS TRANSFER & WAREHOUSE COMPANY	AR	MC 126176, DOT 68472
MERGENTHALER TRANSFER & STORAGE CO	MT	MC 158526, DOT 133956
MESA SYSTEMS, INC	CO	MC 240638, DOT 236778
MILLER BROTHERS MOVING AND STORAGE, INC	CT	MC 31687, DOT 106979
MOBERLY MOVING AND STORAGE, INC	NM	MC 159846, DOT 207400
MARSON MOVING & STORAGE CO	MN	MC 177170, DOT 624078
MOVEMENT TRANSFER & STORAGE CO, INC	KY	MC 29666, DOT 63078
NAGLEE MOVING & STORAGE, INC	NY	MC 71262, ; DOT 15251
O J WHITE TRANSFER & STORAGE, INC	WV	MC 285, DOT 37691
OGILBY TRANSFER AND STORAGE	IL	MC 80570, DOT 144053
O'NEIL MOVING SYSTEMS	CA	MC 539482, 246481, DOT 1426888, 458565
PARK MOVING & STORAGE CO, INC	MD	MC 146929, 412502, DOT 207292
PARKER K BAILEY & SONS, INC	ME	MC 41531, DOT 57108
PARKS MOVING & STORAGE, INC	PA	MC 110746, 157266, 260170, DOT 46028, 881213, 513392
PAUL W TAYLOR CO, INC	MA	MC 21643, DOT 278279
PAULK'S MOVING & STORAGE CO, INC	FL	MC 135068, DOT 89936, 1288914, 264684
PLANES MOVING & STORAGE, INC.	OH	MC 89700, 551232, 551269, 551442, 551348, 488492, 317984, DOT 247584, 1458935, 1459201, 1459759, 1415648, 1242214
PULIZ MOVING & STORAGE CO	NV	MC 165728, DOT 268131, 722184
RAMAR MOVING SYSTEMS, INC	MD	MC 241863, DOT 441070
REINHART MOVING, INC	WY	MC 136542, DOT 101221

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CARRIER AGENTS OF UNITED VAN LINES, LLC		
Agent Name	State	Agent Own Authority
REX MYERS TRANSFER, INC	OR	MC 187424, DOT 286854
RIYNOLDS TRANSFER & STORAGE CO, INC	WI	MC 79758, DOT 74488
ROBERT B CELLITTI MOVING & STORAGE INC	PA	MC 133370, DOT 10544
ROGERS SERVICE GROUP, INC	NY	MC 105117, DOT 15059
ROLLINS MOVING & STORAGE, INC	OH	MC 120489, 187248, DOT 316436
ROSSITER RELOCATION SERVICES, INC	CA	MC 380535, DOT 864865
S & M MOVING SYSTEMS	CA	MC 129515, DOT 533108
S & S MOVING & STORAGE, INC	MN	DOT 284905
SAFEWAY MOVING SYSTEM, INC	IN	MC 170058, DOT 237129
SCHIAAP MOVING SYSTEMS INC	NY	MC 47624, DOT 31675
SCHROEDER MOVING SYSTEMS, INC	WI	MC 202022, 240916, DOT 514341, 512549
SEATON VAN LINES, INC	KS	MC 138162, 171345, DOT 99330
SECURITY STORAGE COMPANY OF WASHINGTON	DC	MC 113387, 420207, DOT 94594, 964008
SKYLINE MOVFRS, INC	IL	MC 147780, DOT 175052
SMITH DRAY LINE & STORAGE CO, INC	SC	MC 6774, DOT 122024
STAR MOVING SYSTEMS	WA	MC 2131, DOT 80544
SUDDATH RELOCATION SYSTEMS	FL	MC 340182, 417557, 425403, 206114, 432881, 425405, 432878, 432889, 432887, 425404, 425400, 425401, 425402, 29904, 275193, 560031, 177217, 209690, 414288, 414286, 414285, 338612, 274700, 403020, 264348, 253128, 282796, 271035, 452279, 399253, 404286, 286716, 399247, 399251, 143934, 20337, 399249, 118527, 452273, 301993, 139780, 63919, 45695, DOT 755354, 1004708, 1018395, 308472, 1038378, 1018429, 1038245, 1038369, 1038373, 1018408, 1018566, 1018367, 1018544, 29609, 568663, 1482273, 295758, 534311, 1078279, 1078281, 1035791, 746693, 568659, 527721, 514944, 582451, 230034, 1099795, 925667, 939357, 591805, 925666, 925663, 163678, 209169, 925665, 1099784, 139304, 418499, 37985
SULLIVAN MOVING & STORAGE CO	CA	MC 127405, DOT 56181
SWARTZ MOVING AND STORAGE CO	OR	MC 87536, DOT 59590
T E ANDRESEN, INC	MA	MC 64016, DOT 52830
THE ANDREWS MOVING & STORAGE COMPANY	OH	MC 44737, DOT 124171
THE DAVIDSON TRANSFER & STORAGE CO	MD	MC 69281, DOT 110447
THOMAS TRANSFER & STORAGE, INC	KS	MC 192821, DOT 153146
TODD TRANSPORTATION COMPANY	VT	MC 17136, DOT 86350
TOPEKA TRANSFER & STORAGE, INC	KS	MC 8803, DOT 736557
TROWBRIDGE MOVING AND RELOCATION SERVICES	OH	MC 61614, DOT 103897
UNION TRANSFER AND STORAGE COMPANY, INC	NC	MC 96435, DOT 97211

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CARRIER AGENTS OF UNITED VAN LINES, LLC		
Agent Name	State	Agent Own Authority
UNITED MOVING & STORAGE	WA	MC 422357, 139446, DOT 1016516, 295017
VESELY BROTHERS MOVING & STORAGE, INC	PA	MC 51518, DOT 46035
VICTORY WORLDWIDE TRANSPORTATION, INC	NY	MC 42137, DOT 24865
VINCENI FISTER, INC.	KY	MC 126987, DOT 63040
VON PARIS MOVING & STORAGE, INC	MD	MC 42334, 373550, DOT 88613, 1273227
WADE ODELL WADE PADDED VAN SERVICES, INC	NJ	MC 185922, DOT 292790
WHERLEY MOVING & STORAGE, INC	MN	MC 87128, 299010, DOT 124694, 501172, 627240
WILLIAM B MEYER, INC	CT	MC 108194, DOT 17847
WILLIAMS TRANSFER & STORAGE CO, INC	MS	MC 121167, DOT 96573
WILTFONG MOVING & STORAGE, INC	IN	MC 10792, DOT 12351
ZODY'S MOVING & STORAGE, INC	PA	MC 106487, DOT 252103

GOVERNMENT & MILITARY CARRIERS OWNED AND CONTROLLED BY UNITED VAN LINES, LLC		
Agent Name	State	Agent Own Authority
ABBEY VAN LINES, LLC	MO	MC 222030, DOT 582372
ALITE VAN LINES, LLC	MO	MC 250921, DOT 582375
AVAN LINES, LLC	MO	MC 250979, DOT 582374
GOVERNMENT TRANSPORTATION SPECIALISTS, LLC	MO	MC 264815, DOT 529007
MERAMEC VALLEY TRANSPORT, LLC	MO	MC 264817, DOT 529018
MILITARY TRANSPORTATION MOVERS, LLC	MO	MC 264816, DOT 530535
MILITARY TRANSPORTATION SYSTEMS, LLC	MO	MC 264825, DOT 528660
SHOW-ME MOVERS, LLC	MO	MC 264818, DOT 529026
UNITED INTERMODE, LLC	MO	MC 156244, 484374, DOT 582376

APPENDIX B

UNITED POOLING POLICY MODIFICATION AGREEMENT

It is the policy of United Van Lines, LLC (“United”) that its agents registered with the Federal Motor Carrier Safety Administration as a motor carrier of household goods (“operating authority”) will not utilize that operating authority for interstate household goods moves as defined at 49 U.S.C. § 14302(h)(1), except, subject to United policies, for service to the government including the Department of Defense. In addition, policies of United pertaining to the distribution of revenue to agents and equipment leasing as well as the form of agency agreement will be removed from the pooling arrangement but, will continue as a matter of contract between United and its agents. Finally, any prohibitions or restrictions against carrier agents from possessing broker authority or filing their own separate tariff will be removed from the pooling arrangement.

These policies have been adopted by the United Board of Directors and as such are operative with respect to agents under the agency agreements.

APPENDIX C
CAPTION SUMMARY FOR FEDERAL
REGISTER PUBLICATION

DEPARTMENT OF TRANSPORTATION
[STB DOCKET NO MC-F-4901 AND NO MC-F-6152]

United Van Lines, LLC – Pooling Modification

A pooling modification on behalf of United Van Lines, LLC (“United”), its carrier agents, and certain carriers owned or controlled by United that participate, subject to United policies, in shipments for the government, including the Department of Defense, has been filed in accordance with 49 U.S.C. § 14302. The Board has determined initially that the modification may [be of major transportation importance] or [there is a substantial likelihood that the pooling agreement will unduly restrain competition] [or both]. In accordance with 49 C.F.R. § 1184.2 those wishing to comment should submit verified statements to the Board by _____, 2008.